

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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AMMIANUS POMPILIUS aka ANTHONY  
PRENTICE,

Plaintiff,

vs.

JAMES DZURENDA, *et al.*,

Defendants.

2:18-cv-01801-APG-VCF  
**ORDER**

Before the Court are Plaintiff's Motion For Appointment of Counsel (ECF No. 85) and the Motion to Withdraw ECF No. 82 (ECF No. 86).

A litigant in a civil rights action does not have a Sixth Amendment right to appointed counsel. *Storseth v. Spellman*, 654 F.2d 1349, 13253 (9th Cir. 1981).

The court may appoint counsel under 28 U.S.C. § 1915 only under exceptional circumstances. *Terrell v. Brewer*, 935 F.2d 1015, 1017 (9th Cir. 1991). "A finding of exceptional circumstances requires an evaluation of both the likelihood of success on the merits and the ability of the petitioner to articulate his claims *pro se* in light of the complexity of the legal issues involved. Neither of these factors is dispositive and both must be viewed together before reaching a decision." *Id.* (citations and internal quotation marks omitted). The court has reviewed the complaint and filings in this case. Here, the Court does not find exceptional circumstances that warrant the appointment of counsel.

ECF No. 82 was denied as moot in ECF No. 84. (ECF No. 84, page 9).

Accordingly, IT IS HEREBY ORDERED that the Plaintiff's Motion For Appointment of Counsel (ECF No. 85) is DENIED.

1 IT IS FURTHER ORDERED that the Motion to Withdraw ECF No. 82 (ECF No. 86) is DENIED  
2 as moot.

3 DATED this 1st day of November, 2021.



4 CAM FERENBACH  
5 UNITED STATES MAGISTRATE JUDGE  
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